AGENDA
COMMON COUNCIL - REGULAR MEETING
Tuesday, March 17, 2020
Meeting to be held at 6:30 p.m., local time,
in the Common Council Chambers, City Hall Building
100 East Michigan Boulevard, Michigan City, Indiana

CALL TO ORDER BY COUNCIL PRESIDENT

PLEDGE OF ALLEGIANCE TO THE FLAG and PRAYER

ROLL CALL

APPROVAL OF MINUTES
Regular Meeting March 3, 2020

REPORTS of STANDING COMMITTEES

FINANCE COMMITTEE REPORT
CLAIMS DOCKET

| Fund #2042 – Riverboat Claims | $ 2,266.05 |
| Fund #2031 – Boyd Development | $ 4,634.68 |

REPORTS of SPECIAL or SELECT COMMITTEES

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

PETITIONS

COMMUNICATIONS

Correspondence received in the Clerk’s Office on March 9, 2020 from DLZ – Weekly Activities Report – ESG Energy Project

Correspondence received in the Clerk’s Office March 12, 2020
From Frank Fernandez representing “Stop The Great Lakes Nuclear Dump”

Correspondence received in the Clerk’s Office March 4, 2020 from Clarence Hulse, Economic Director of MCEDC regarding his 2019 Annual Report

RESOLUTION
ORDINANCE

ORDINANCE 1st Reading
CREATING SECTION 2-410.2 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO CREATE AN AIRPORT DONATION FUND

Introduced by: Gene Simmons

ORDINANCE 2nd Reading
APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE BARKER CIVIC CENTER FUND FOR THE PURCHASE OF SUPPLIES TO RESTOCK THE GIFT SHOP FOR THE BARKER CIVIC CENTER

Introduced by: Bryant Dabney

(DECREASE Barker Civic Center Fund # 2070 Unappropriated balance $1,200.00. INCREASE ACCOUNT# 2070.000.429.001 $1,200.00 Other Supplies)

News Dispatch
February 25, 2020

Formal Public
Hearing will be held
March 17, 2020

ORDINANCE 2nd Reading
AN ORDINANCE TO AMEND SECTION 2-399 OF THE MICHIGAN CITY MUNICIPAL CODE DESIGNATING THE COMMON COUNCIL AS THE CITY AGENCY WITH THE SOLE AUTHORITY TO APPROVE PURCHASE ORDERS FROM THE CITY’S RIVERBOAT FUND AND BOYD DEVELOPMENT FUND

Introduced by: Bryant Dabney
Co-Sponsor: Tracie Tillman
Paul A. Przybylinski
Don. Przybylinski

Agenda March 17, 2020
Posted March 12, 2020
UNFINISHED BUSINESS

NEW BUSINESS

Dion Campbell, Chief of the Michigan City Police Department –
Police Department Vision and Core Values for 2020

Franciscan Health Michigan City - Coronavirus
   Dr. Anil Chawla, Vice President Medical Affairs
   Dr. Al-Haddadin, Medical Director Infectious Disease
   Laura Kalman, RN, Infection Preventionist

FYI: The Council has one (1) appointment to the Commission of
Sustainability expiring May 1, 2020: Incumbent – Ms. Nancy
Moldenhauer

Mayor Parry is requesting the advice and consent of the members
of the Michigan City Common Council for the appointment of Ms.
Amanda Beutner as a member of the Michigan City Port Authority
Board (term to begin March 31, 2020 and will expire March 30,
2024).

Mayor Parry is requesting the advice and consent of the members
of the Michigan City Common Council for the appointment of Mr.
Socrates Gray as a member of the Michigan City Port Authority
Board (term to begin April 1, 2020 and will expire March 31, 2024).

Mayor Parry is requesting the advice and consent of the members
of the Michigan City Common Council for the re-appointment of Mr.
Samuel Ferguson as a member of the Michigan City Port Authority
(term will begin immediately and expire April 14, 2024).

Mayor Parry is requesting the advice and consent of the members
of the Michigan City Common Council for the appointment of Mr.
John Hendricks as a member of the Michigan City Historic Review
Board (term will begin immediately and will expire March 15, 2023).

Agenda March 17, 2020
Posted March 12, 2020

Page 4
Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council for the appointment of Ms. Janet Toyra-Smith as a member of the Michigan City Historic Review Board (term will begin immediately and expire March 15, 2023).

Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council for the re-appointment of Mr. Billy Greene as a member of the Michigan City Historic Review Board (term will begin immediately and will expire March 1, 2023).

COMMENTS FROM THE PUBLIC

COMMENTS FROM THE MAYOR
COMMENTS FROM THE COUNCIL

ADJOURNMENT

Please contact the Clerk’s Office at 219-873-1410 if you require information regarding building accessibility or reasonable accommodations. Office hours are Monday-Friday from 8:00 a.m. to 4:30 p.m.
MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _________

CREATING SECTION 2-410.2 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO CREATE AN AIRPORT DONATION FUND

WHEREAS, the need exists to create an Airport Donation Fund to receipt money contributed to the Michigan City Municipal Airport from contributions and donations from persons, businesses, and organizations, fundraisers, and other possible sources and outline what expenditures may be made from said Fund; and

WHEREAS, in addition, the need exists to create Sec. 2-410.2 in Chapter 2 of the Michigan City Municipal Code for purposes of establishing said Fund.

NOW, THEREFORE, BE IT ORDAINED, by the Michigan City Common Council that Section 2-410.2 in Chapter 2 of the Michigan City Municipal Code shall be created to read as follows:

Section 2-410.2. Airport Donation Fund Established.

There is hereby established an Airport Donation Fund. This Fund shall be a restricted, non-reverting fund. The purpose of this Fund shall be for the receipt of money from contributions from persons, businesses, and organizations, fundraisers, and other possible sources and said monies shall be used by the Board of Aviation Commissioners. Expenditures from this Fund shall be used for the following purposes:

(1) Materials and supplies for use in the operation of the Commission;
(2) Education of the public, including promotional, educational, and training supplies, and for community events;
(3) Training and advocacy for Commission members, including transportation and lodging;
(4) Educational scholarships; and
(5) Grants to entities, organizations, or activities identified under Indiana Code as being able to receive aid from a unit, which include the following:
   a. Parks, playgrounds and recreational facilities and programs (IC 36-10-2-2);
   b. Museums, cultural, historical, and scientific facilities and programs, and community restitution or service facilities and programs (IC 36-10-2-4);
   c. Neighborhood centers, community centers, civic centers, convention centers as defined by IC 36-10-1-5, auditoriums, arenas, and stadiums (IC 36-10-2-5);
   d. Transportation systems (IC 36-9-2-2);
   e. Hospitals (IC 36-8-2-5); and
   f. Airports, bus terminals, rail terminals, and transportation facilities (IC 9-2-3).

The Commission shall not use the funds in its Donation Fund for any other purposes than those stated herein.

This ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY:

Gene Simmons, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana this _________ day of __________________________, 2020.

Sean Fitzpatrick, President
Michigan City Common Council

Approved by me, this _________ day of __________________________, 2020.

Duane Parry, Mayor
Michigan City, Indiana

ATTEST:

__________________________
Gale A. Neulieb, Clerk
City of Michigan City, Indiana

Prepared by Corporation Council Upon Request
MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO.___________

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE BARKER CIVIC CENTER FUND FOR THE PURCHASE OF SUPPLIES TO RE STOCK THE GIFT SHOP FOR THE BARKER CIVIC CENTER

WHEREAS, it has been demonstrated to the Common Council of the City of Michigan City that it is necessary to appropriate more money than was appropriated in the 2020 Annual Budget to provide funding for the purchase of supplies to restock the gift shop for the Barker Civic Center; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Barker Civic Center Fund #2070 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, La Porte County, Indiana, that for the expenses of the City the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified above, subject to the laws governing the same:

<table>
<thead>
<tr>
<th>AMOUNT REQUESTED</th>
<th>AMOUNT APPROPRIATED</th>
</tr>
</thead>
<tbody>
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<td>DECREASE Barker Civic Center Fund # 2070 Unappropriated balance</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>INCREASE ACCOUNT# 2070.000.429.001 Other Supplies</td>
<td>$1,200.00</td>
</tr>
</tbody>
</table>

**TOTAL FOR FUND** $1,200.00

This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

**INTRODUCED BY:**

Bryant Dabney, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____ day of ________________, 2020 by a vote of _______________ to _______________.

Sean Fitzpatrick, President
Michigan City Common Council

Approved by me, this _____ day of __________________, 2020.

Duane Parry, Mayor
City of Michigan City, Indiana

**ATTEST:**

Gale A. Neulieb, Clerk
City of Michigan City, Indiana

Prepared by Corporation Counsel Upon Request
MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO.________

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE BARKER CIVIC CENTER FUND FOR THE PURCHASE OF SUPPLIES TO RE STOCK THE GIFT SHOP FOR THE BARKER CIVIC CENTER

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TOTAL FOR FUND $1,200.00

This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY: ____________________________
Bryant Dabney, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____
_____ day of ______________________, 2020 by a vote of ______________ to ______________.

______________________________
Sean Fitzpatrick, President
Michigan City Common Council

Approved by me, this _____ day of ______________________, 2020.

______________________________
Duane Parry, Mayor
City of Michigan City, Indiana

ATTEST:

______________________________
Gale A. Neulieb, Clerk
City of Michigan City, Indiana

Prepared by Corporation Counsel Upon Request
MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _________

AN ORDINANCE TO AMEND SECTION 2-399 OF THE MICHIGAN CITY
MUNICIPAL CODE DESIGNATING THE COMMON COUNCIL AS THE CITY
AGENCY WITH THE SOLE AUTHORITY TO APPROVE PURCHASE ORDERS
FROM THE CITY’S RIVERBOAT FUND AND BOYD DEVELOPMENT FUND

WHEREAS, on July 6, 2010, the Michigan City Common Council enacted Ordinance
No. 4096, which was codified in Section 2-399 of the Michigan City Municipal Code, to
establish the Common Council as the sole authority to approve any and all claims, expenditures
and transfers from the City’s Riverboat and Boyd Development Funds; and

WHEREAS, Sec. 2-399 currently reads as follows:

"Sec. 2-399. - Riverboat fund; Boyd development fund.

The common council is designated as the city agency with the sole authority to approve
any and all claims against, and any and all expenditures and transfers from, the city's
riverboat fund and Boyd development fund.

(1) No expenditure or transfer from the city's riverboat fund or Boyd development
fund shall be allowed or made without the written approval of the common council.
(2) The city controller shall timely prepare an appropriate claims/accounts payable
vouchers for approval by the common council at a public meeting.
(3) The city controller, as he deems necessary, shall timely prepare an appropriate
written request to transfer funds from the city's riverboat fund and Boyd development
fund, along with an appropriate resolution approving the transfer, for the common
council's approval at a public meeting.
(4) The claims/accounts payable vouchers and requests transfers shall be prepared in
a timely fashion so as to avoid the city incurring any late payment penalties or
unnecessary delay or default in payment of any of the city's bills.
(5) The controller shall submit the appropriate supporting documentation, including
that required by state law and the state board of accounts, to the common council for
each claim/accounts payable voucher the common council is asked to approve;” and

WHEREAS, on June 5, 2017, the Michigan City Board of Public Works & Safety
enacted the City’s Purchasing Policy, and Section 6.1(A) of the Purchasing Policy states that “If
a purchase is over $500.00, prior to completing the purchase, the Purchasing Agent shall submit
a purchase order to the City Controller’s Office for approval to purchase;” and

WHEREAS, the Michigan City Common Council has determined that the need exists to
amend Sec. 2-399 to follow Section 6.1(A) of the City’s Purchasing Policy and to grant the
Common Council with authority to approve an expenditure from the City’s Riverboat Fund and/or Boyd Development Fund prior to the actual purchase of goods or services by a City Department.

NOW, THEREFORE, BE IT ORDAINED that Section 2-399 of Chapter 2 of the Michigan City Municipal Code shall be amended to now read as follows:

Sec. 2-399 – Riverboat Fund; Boyd Development Fund

The Common Council is designated as the City agency with the sole authority to approve any and all claims against and any and all expenditures and transfers from the City’s Riverboat Fund and Boyd Development Fund.

1. With the exception of an emergency purchase as defined in I.C. 5-22-10-4, no expenditure or transfer from the City’s Riverboat Fund or Boyd Development Fund shall be allowed or made without the prior approval of a purchase order for the purchase by the Michigan City Common Council at a public meeting.

2. For each purchase order the Common Council is asked to approve, the City Controller shall prepare an appropriate purchase order, accompanied by the appropriate documentation, including that required by Indiana law, the Indiana State Board of Accounts, and by the City’s Purchasing Policy, (ie: quotes, bids, etc… as outlined in the City’s Purchasing Policy effective June 5, 2017, which may include the relevant documentation that had been submitted to the Michigan City Board of Public Works & Safety for approval prior to said purchase) and submit it to the Common Council prior to the meeting at which it is to be considered for approval by the Common Council.

3. The City Controller, as deemed necessary, shall timely prepare an appropriate written request to transfer funds to fund the purchase order from the City’s Riverboat Fund or Boyd Development Fund, along with an appropriate resolution approving the transfer, for the Common Council’s approval at a public meeting.

4. The City Controller shall submit a report detailing each payment against all previously approved purchase orders paid for from the City’s Riverboat Fund and Boyd Development Fund. The report shall include vendor name, amount of payment, purchase order number, check number, date of payment, and balance, if any, remaining on said purchase order.

5. All claims/accounts payable vouchers and requests for transfers shall be prepared in a timely fashion to avoid the City incurring any late payment penalties or unnecessary delay or default in payment of any of the City’s bills.
This Ordinance to be effective upon passage and approval by the Mayor.

INTRODUCED BY:  

____________________________________________________________________
Bryant Dabney, Member  
Michigan City Common Council

CO-SPONSOR  

____________________________________________________________________
Tracie Tillman, Member  
Michigan City Common Council

CO-SPONSOR  

____________________________________________________________________
Paul A. Przybylinski, Member  
Michigan City Common Council

CO-SPONSOR  

____________________________________________________________________
Don Przybylinski, member  
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _______ day of ____________________, 2020 by a vote of _____ to _____.

____________________________________________________________________
Sean Fitzpatrick, President  
Michigan City Common Council

Approved by me, this _______ day of ____________________, 2020.

____________________________________________________________________
Duane Parry, Mayor  
City of Michigan City, Indiana

ATTEST:

____________________________________________________________________
Gale A. Neulieb, Clerk  
City of Michigan City, Indiana